(3)

C.152

Single Bench

BEFORE THE HONOURABLE HIGH COURT OF

CHHATTISGARH AT BILASPUR

CIVIL REVISION NO. 127 OF 2006

APPLICANTS

DEFENDANTS

1. Palton, aged about 60 years; S/o. Fool Sing Sahu;
2. Ganga Ram, aged about 40 years; S/o. Palton Sahu;
3. Kunju Ram, aged about 37 years, S/o. Palton Sahu;
4. Gautam, aged about 22 years; S/o. Palton Sahu;
5. Smt. Bahura Bai, aged about 55 years, W/o. Palton Sahu [Wrongly shown D/o.]
6. Khogin Bai, aged about 35 years; W/o. Ganga Ram Sahu;
7. Smt. Kaushilya Bai, aged about 30 years; W/o. Kunju Ram Sahu. [Wrongly shown D/o.];
8. Smt. Rekha Bai, aged about 20 years; W/o. Gautam Sahu;
9. Jagannath aged about 50 years; S/o. Pusau Ram Sahu;

All R/o. Village Khorbana;

P.R. No. 2371/06
Presented by Shri Manoj Dhenuhar
dated 22/9/06

RECEIVED-COPY
22/9/06
CLERK to A. G. BILASPUR

Thana & Tahsil-Khairagarh, District- Rajnandgaon (C.G.)

VERSUS

RESPONDENT No.1; PLAINTIFF

1. Siya Ram; aged about 40 years; S/o. Firanta Sahu; Farmer & R/o. Village-Khorbana; Tahana & Tahasil-Khairagarh, District-Rajnandgaon (C.G.)

RESPONDENT No.2; DEFENDANT No.10.

2. State of Chhattisgarh through Collector Rajnandgaon; District-Rajnandgaon (C.G.).

CIVIL REVISION UNDER SECTION 115 OF THE CODE OF CIVIL PROCEDURE 1908.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक C.R. 127/06 **सन् 200**

(6)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
06/09/2006	Shri R.N. Jha learned counsel for the applicants. This revision petition has been filed by the defendants against the order dated 8.7.2006 passed by learned trial Court by which the application preferred by the plaintiffs under Order 6 Rule 17 for amendment of the plaint and another application under Order 26 Rule 9 of the CPC for appointment of Commissioner in respect of demarcation of the suit land, have been allowed. Learned counsel for the applicants fairly concedes that this revision is not maintainable in view of the proviso to section 115 of the CPC and also the judgments of the Supreme Court in the case of Surya Devi Rai Vs. Ram Chander Rai and others reported in (2003) Vol. 6 SCC 675 as well as in the case of Shiv Shakti Coop. Housing Society, Nagpur Vs. Swaraj Developers and others reported in (2003) 6 SCC 659 . He, however, prays for return of the certified copy of the impugned order. Accordingly, the revision petition is dismissed as not maintainable. Registry to return the certified copy of the impugned order provided that the counsel for the applicants furnishes an authenticated copy of the same. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.